

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

James G. Blakely,
a.k.a. James Gatewood Blakely,
a.k.a. Jimmy G. Blakely;

Plaintiff,

v.

Dr. Moore; Nurse Enloe, A; Warden M.
McCall; A/W S. Claytor; Dr. Amonitti, G;
Warden McCabe,

Defendants.

C/A No. 5:12-01214-MBS-KDW

ORDER

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. Defendants McCabe and Moore filed a Motion for Summary Judgment on September 26, 2012. ECF No. 48. As Plaintiff is proceeding pro se, the court entered an order on September 27, 2012, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising Plaintiff of the importance of a motion for summary judgment and of the need for him to file an adequate response. ECF No. 49. Plaintiff was informed that his response was due by November 1, 2012, and was specifically advised that if he failed to respond adequately, Defendants Moore and McCabe's motion may be granted, thereby ending his case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the motion. As such, it appears to the court that Plaintiff does not oppose the motion and wishes to abandon his action against Defendants Moore and McCabe. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to Defendants'

Motion for Summary Judgment by **November 26, 2012**. Plaintiff is further advised that if he fails to respond, this action against Defendants Moore and McCabe will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style with a large initial 'K' and a distinct 'D'.

November 7, 2012
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge